

**FILED**

MAR 2 2022

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

MARLIN SHAWN MILLER,  
*Plaintiff,*

V.

TEXAS ALCOHOLIC BEVERAGE  
COMMISSION,  
*Defendant.*

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Civil Action No. 1:21-cv-204

**CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY \_\_\_\_\_**

**DEPUTY**

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## JURY VERDICT

In answering the following questions, you are to follow the instructions I have given you in the Court's Jury Charge. Your answers to each question must be unanimous. Some of the questions contain legal terms that are defined and explained in detail in the Jury Charge. You should refer to and consider the Jury Charge as you answer these questions in the Verdict Form.

JURY QUESTION  
LIABILITY

3/21/22  
453 C

**Question 1:**

**Do you find that Plaintiff Miller would not have been terminated but for his participation as a witness in a Title VII investigation?**

**Answer Yes or No:** y es

*If your answer is "Yes," proceed to the next question. If you answered "No" to Question 1, stop and proceed to signing the verdict form.*

JURY QUESTIONS  
DAMAGES

**Question No. 2:**

What sum of money if paid now in cash, would fairly and reasonably compensate Plaintiff Miller for his damages, if any, you have found Defendant TABC caused Plaintiff Miller?

Answer in dollars and cents for the following items and none other:

- A. Past pain and suffering, inconvenience, mental anguish, and loss of enjoyment of life: 125,000
- B. Future pain and suffering, inconvenience, mental anguish, and loss of enjoyment of life: 125,000
- C. Wages and benefits from June 20, 2019 through today: 37500

**Question No. 3**

Do you find that Plaintiff Miller failed to reduce his damages through the exercise of reasonable diligence in seeking, obtaining, and maintaining substantially equivalent employment after the date of his termination?

Answer "Yes" or "No."                   

*If you answered "Yes" to Question No. 3, then answer Question No. 4.*

**Question No. 4**

How much would Plaintiff Miller have earned had he exercised reasonable diligence under the circumstances to minimize his damages?

Answer in dollars and cents, if any. \$ \_\_\_\_\_

**FINAL PAGE OF THE JURY VERDICT**

**You have now reached the end of the Verdict Form and should review it to ensure it accurately reflects your unanimous determinations. The jury foreperson should then sign and date the Verdict Form in the spaces below. Once this is done, notify the Court Security Officer that you have reached a verdict. The jury foreperson should keep the Verdict Form and bring it when the jury is brought back to the court room.**

Signed this 2<sup>nd</sup> day of March, 2022.

Jury Foreperson

ORIGINAL SIGNATURE  
REDACTED PURSUANT TO  
E-GOVERNMENT ACT OF 2002